

**JS 44C/SDNY**  
**REV. 2/2014**

# CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**PLAINTIFFS**

**SI Venture Holdings, LLC (also d/b/a SI Ventures)**

**DEFENDANTS**

Catlin Specialty Insurance Company

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Scott E. Agulnick, Esq.  
Greenblatt & Agulnick, P.C., 55 Northern Blvd., Suite 302  
Great Neck, New York 11021, (718) 352-4800

**ATTORNEYS (IF KNOWN)**

Patrick M. Tomovic, Esq.  
Hodgson Russ LLP, 140 Pearl Street, Suite 100  
Buffalo, New York 14202 (716) 856-4000

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)**  
**(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

28 U.S.C. Sections 1332, 1441, 1446; this case is being removed by the defendant to this Court. The complaint alleges breach of contract

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

**IS THIS AN INTERNATIONAL ARBITRATION CASE?** No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

**NATURE OF SUIT**

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY -	[ ] 810 AGRICULTURE	[ ] 422 APPEAL	[ ] 400 STATE
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	MED MALPRACTICE	[ ] 820 OTHER FOOD &	28 USC 168	REAPPORTIONMENT
[ ] 130 MILLER ACT	[ ] 320 ASSAULT, LIBEL &	[ ] 365 PERSONAL INJURY	[ ] 825 DRUG RELATED	[ ] 423 WITHDRAWAL	[ ] 410 ANTITRUST
[ ] 140 NEGOTIABLE	SLANDER	PRODUCT LIABILITY	SEIZURE OF	28 USC 157	[ ] 430 BANKS & BANKING
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	[ ] 368 ASBESTOS PERSONAL	PROPERTY		[ ] 460 COMMERCE
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	21 USC 881	PROPERTY RIGHTS	[ ] 460 DEPORTATION
ENFORCEMENT	LIABILITY		[ ] 830 LIQUOR LAWS	[ ] 820 COPYRIGHTS	[ ] 470 RACKETEER INFLU-
OF JUDGMENT	[ ] 340 MARINE	PERSONAL PROPERTY	[ ] 840 RR & TRUCK	[ ] 830 PATENT	ENCED & CORRUPT
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT		[ ] 850 AIRLINE REGS	[ ] 840 TRADEMARK	ORGANIZATION ACT
[ ] 152 RECOVERY OF	LIABILITY	[ ] 370 OTHER FRAUD	[ ] 860 OCCUPATIONAL		(RICO)
DEFAULTED	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 880 SAFETY/HEALTH		[ ] 480 CONSUMER CREDIT
STUDENT LOANS	[ ] 355 MOTOR VEHICLE	[ ] 380 OTHER PERSONAL	[ ] 880 OTHER		[ ] 490 CABLE/SATELLITE TV
(EXCL VETERANS)	PRODUCT LIABILITY	PROPERTY DAMAGE		SOCIAL SECURITY	[ ] 810 SELECTIVE SERVICE
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	PRODUCT LIABILITY	LABOR	[ ] 861 HIA (1395ff)	[ ] 850 SECURITIES/
OVERPAYMENT	INJURY		[ ] 710 FAIR LABOR	[ ] 862 BLACK LUNG (923)	COMMODITIES/
OF VETERANS			STANDARDS ACT	[ ] 863 DIWC/DIWW (405(p))	EXCHANGE
BENEFITS			[ ] 720 LABOR/MGMT	[ ] 864 SSID TITLE XVI	[ ] 875 CUSTOMER
[ ] 160 STOCKHOLDERS			RELATIONS	[ ] 865 RBI (405(p))	CHALLENGE
[ ] 190 OTHER		PRISONER PETITIONS	[ ] 730 LABOR/MGMT		12 USC 3410
CONTRACT		[ ] 510 MOTIONS TO	REPORTING &	FEDERAL TAX SUITS	[ ] 880 OTHER STATUTORY
[ ] 195 CONTRACT	ACTIONS UNDER STATUTES	VACATE SENTENCE	DISCLOSURE ACT	[ ] 870 TAXES (U.S. Plaintiff or	ACTIONS
PRODUCT	CIVIL RIGHTS	28 USC 2256	[ ] 740 RAILWAY LABOR ACT	Defendant)	[ ] 881 AGRICULTURAL ACTS
LIABILITY	[ ] 441 VOTING	[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR	[ ] 871 IRS-THIRD PARTY	[ ] 892 ECONOMIC
[ ] 196 FRANCHISE	[ ] 442 EMPLOYMENT	[ ] 535 DEATH PENALTY	LITIGATION	26 USC 7009	STABILIZATION ACT
	[ ] 443 HOUSING/	[ ] 540 MANDAMUS & OTHER	[ ] 781 EMPL RET INC		[ ] 893 ENVIRONMENTAL
	ACCOMMODATIONS		SECURITY ACT		MATTERS
	[ ] 444 WELFARE	PRISONER CIVIL RIGHTS	IMMIGRATION		[ ] 894 ENERGY
[ ] 210 LAND	[ ] 445 AMERICANS WITH	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION		ALLOCATION ACT
CONDEMNATION	DISABILITIES -	[ ] 555 PRISON CONDITION	APPLICATION		[ ] 895 FREEDOM OF
[ ] 220 FORECLOSURE	EMPLOYMENT		[ ] 463 HABEAS CORPUS-		INFORMATION ACT
[ ] 230 RENT LEASE &	[ ] 446 AMERICANS WITH		ALIEN DETAINEE		[ ] 900 APPEAL OF FEE
EJECTMENT	DISABILITIES -OTHER		OTHER IMMIGRATION		DETERMINATION
[ ] 240 TORTS TO LAND	[ ] 440 OTHER CIVIL RIGHTS		ACTIONS		UNDER EQUAL
[ ] 245 TORT PRODUCT	(Non-Prisoner)				ACCESS TO JUSTICE
LIABILITY					CONSTITUTIONALITY
[ ] 280 ALL OTHER					OF STATE STATUTES
REAL PROPERTY					

**Check if demanded in complaint:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$360,099 OTHER Interest, attorneys' fees JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

**Check YES only if demanded in complaint**

**JURY DEMAND:** ☒ YES ☐ NO

**NOTE:** You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

- ORIGIN**
- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☒ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

- BASIS OF JURISDICTION**
- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☒ 4 DIVERSITY

**IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1332, 1441)**

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [x] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [x] 1 [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] 5 [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2 [x] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6 [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Plaintiff is a limited liability company, and the citizenship of its members is unknown. Representation is made that at this time, and after reasonable diligence, I have been unable to ascertain the residence addresses of the members of SI Venture Holdings, LLC. Pursuant to Local Rule 81.1, the plaintiff has 21 days to file a statement attesting to the citizenship of its members.

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Catin is a corporation organized under the laws of the state of Delaware and maintains its principal place of business at 3440 Peachtree Road, NE, Suite 2950, Atlanta, Georgia, 30328 (Fulton County).

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
(DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 04/01/2014 SIGNATURE OF ATTORNEY OF RECORD



RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

☒ YES (DATE ADMITTED Mo. 05 Yr. 1991)

Attorney Bar Code # PT 4030

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)